Commissioner of Patents
USSN 10/661,097

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application:

Claim 1 (Currently amended): A method for the prophylaxis or treatment of a HSV-1, HSV-2, or CMV infection in a subject, comprising administering to a subject in need of such treatment a therapeutically effective amount of at least one pharmacologically acceptable oligonucleotide at least 30 nucleotides in length, wherein the anti-viral activity of said oligonucleotide occurs principally by a ~~non~~-sequence independent~~complementary~~ mode of action, ~~and~~ wherein said oligonucleotide comprises all ~~at least one~~ phosphorothioated linkages and wherein said oligonucleotides does not comprises a TG-rich sequence.

Claim 2 (Currently amended): A~~The~~ method for the prophylaxis or treatment of a HSV-1, HSV-2, or CMV infection in a subject, comprising administering to a subject in need of such treatment a therapeutically effective amount of at least one pharmacologically acceptable oligonucleotide at least 30 nucleotides in length, wherein the anti-viral activity of said oligonucleotide occurs principally by a sequence independent mode of action, wherein said oligonucleotide comprises all phosphorothioated linkages, does not comprises a TG-rich sequence and inhibits a viral function selected from the group consisting of virus absorption to a cell and virus infection into the cell ~~of claim 1, wherein said subject is a human~~.

Claim 3-14 (Canceled).

Claim 15 (Currently amended): A~~The~~ method for the prophylaxis or treatment of a HSV-1, HSV-2, or CMV infection in a subject, comprising administering to a subject in need of such treatment a therapeutically effective amount of at least one pharmacologically acceptable oligonucleotide at least 30 nucleotides in length, wherein the anti-viral activity of said oligonucleotide occurs principally by a sequence independent mode of action, wherein said oligonucleotide comprises all phosphorothioated linkages, ~~of claim 1 or 2~~, ~~wherein said oligonucleotide~~ does not

comprises a TG-rich sequence, inhibits a viral function selected from the group consisting of virus absorption to a cell and virus infection into the cell, is not complementary to any portion of the genomic sequence of HSV-1, HSV-2, or CMV, and is selected not to form hairpins or to have palindromic sequences contained therein.

Claim 16 (Canceled).

Claim 17 (Currently amended): The method of any one of claims 1, ~~or~~ 2 and 15, wherein said oligonucleotide is at least 40 nucleotides in length.

Claim 18 (Currently amended): The method of any one of claims 1, ~~or~~ 2, and 15, wherein each said oligonucleotide comprises at least one other modification to its chemical structure.

Claim 19-20 (Cancelled).

Claim 21 (Currently amended): The method of any one of claims 1, ~~or~~ 2 and 15, wherein each said oligonucleotide comprises at least one 2'-modification to the ribose moiety.

Claim 22-26 (Cancelled).

Claim 27 (Currently amended): The method of any one of claims 1, ~~or~~ 2 or 15, wherein said oligonucleotide is double stranded.

Claim 28-39 (Cancelled).

Claim 40 (Withdrawn): The method of claim 1 or 2, wherein said oligonucleotide is selected from the group consisting of REP 2005, REP 2006, REP 2007, REP 2008, SEQ ID NO: 6, SEQ ID NO: 9, REP 2024, SEQ ID NO: 20, SEQ ID NO: 23, SEQ ID NO: 25, SEQ ID NO: 26 and REP 2060.

Claim 41 (Withdrawn): The method of claim 1 or 2, wherein said oligonucleotide is SEQ ID NO: 22.

Claim 42 (Previously presented): The method of any one of claims 1, ~~or~~ 2 or 15, wherein said oligonucleotide is SEQ ID NO: 24.